

**REMARKS**

Claims 1-12 are pending in this application. By this Amendment, claims 1, 4, 5, and 10 are amended. The amendments introduce no new matter. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

Applicants appreciate the indication of allowability regarding claims 7 and 8. Claims 7 and 8 are indicated as allowable if rewritten in independent form including all of the features of the base claims and any intervening claims. The remaining claims are allowable as well for at least the following reasons.

The Office Action rejects claims 1-4, 6 and 9-12 under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2002/0145142 A1 to Chen et al. (hereinafter "Chen") in view of U.S. Patent No. 6,165,826 to Chau et al. (hereinafter "Chau"); and rejects claim 5 under 35 U.S.C §103(a) over Chen in view of U.S. Patent No. 5,576,230 to Guldi. These rejections are respectfully traversed.

Without conceding the propriety of the combination of references, or the asserted teachings of the various references, and solely to advance prosecution of this application, claims 1, 4, 5, and 10 are amended to recite, among other features, the second insulating layer having thickness of more than twice a thickness of the gate electrode.

All of the rejections rely on Chen as teaching a layered insulating film composed of at least two different insulating films 40 and 42 on the gate layer 36. Chen does not teach, nor can reasonably be considered to have suggested, a second insulating layer having a thickness of more than twice the thickness of the gate electrode. For example, none of the embodiments depicted in Chen show the barrier layer 42 as having a thickness of more than twice the thickness of the gate layer 36. None of the other prior art references are applied in a manner to overcome such a shortfall in Chen.

Such relative thickness of the second insulating layer provides for a relatively long lightly doped drain (LDD), as described, for example, in paragraph [0078] of the specification.

For at least the above reasons, the applied prior art references do not teach, nor can they reasonably be considered to have suggested, the combinations of all of the features positively recited in independent claims 1, 4, 5 and 10. Additionally, claims 2, 3, 6, 9, 11 and 12 are also neither taught, nor would they have been suggested, by the applied prior art references for at least the respective dependence of these claims, directly or indirectly, on allowable independent claims 1, 4, 5, and 10, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejections of claims 1-6 and 9-12 under 35 U.S.C. §103(a) are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-6 and 9-12, in addition to the indication of allowability regarding claims 7 and 8, are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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